
Public Notice

Applicant:

Bradley Road, Inc.

Date:

Published:

10, 2002

September

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Expires: October 9, 2002

Buffalo District CELRB-TD-R RE: 2000-01346(1) Section: OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Bradley Rd., Inc., c/o William Baumann, 4480 Bradley Road, P.O. Box 609087, Cleveland, Ohio, 44109, proposes to fill approximately 1.51 acres of Federal jurisdictional wetlands and impact approximately 2,460 linear feet of unnamed tributaries to the Cuyahoga River at the Bradley Road C&D Landfill and Reclamation Center, located southeast of Bradley Road and east of Skyview Drive, in the City of Cleveland, Cuyahoga County, Ohio. A wetland delineation has been submitted and verified. Approximately 1.84 acres of wetlands and 2,725 linear feet of stream have been identified on the project site. Of those wetlands, approximately 1.61 acres are adjacent to or contiguous with the tributary system and are therefore subject to regulation by the Department of the Army.

The project consists of the following:

- a. The installation of approximately 540 linear feet of culvert to contain the northern tributary, utilizing 78-inch diameter ODOT Class V steel reinforced concrete pipe.
- b. The installation of approximately 1200 linear feet of culvert to contain the southern tributary, utilizing 66-inch diameter ODOT Class V steel reinforced concrete pipe.
- c. The construction of an in-stream detention basin at the confluence of these streams, impacting approximately 600 linear feet of tributary.
- d. The filling of approximately 1.51 acres of Federal jurisdictional wetlands associated with these two tributaries during the proposed culverting and filling operations of the valleys, which will be subsequently filled with construction and demolition debris and a clay cap. Once capped, a recreation green belt will be created. Fill depths vary from minus 6 feet to plus 53 feet. A leachate collection system will be installed above the culverts.
- e. As mitigation for the proposed wetland and stream impacts, Bradley Rd., Inc. proposes to perform stream restoration on an equitable portion of the West Creek Preserve or other related project.

This project is proposed to satisfy a Final Findings and Orders ("Orders") issued by the City of Cleveland to Bradley Rd., Inc., d/b/a Bradley Road C&D Landfill and Reclamation Center. These Orders require that action be taken to implement a pest management program and to submit plans and a schedule for a culvert adjacent to the Skyview Estates which will connect to existing culverts along Bradley Road (culverting the southern tributary).

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Elizabeth W. Stone, who can be contacted by calling (716) 879-4363, or by e-mail at: Elizabeth.W.Stone@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Elizabeth W. Stone, or by e-mail at: Elizabeth.W.Stone@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the

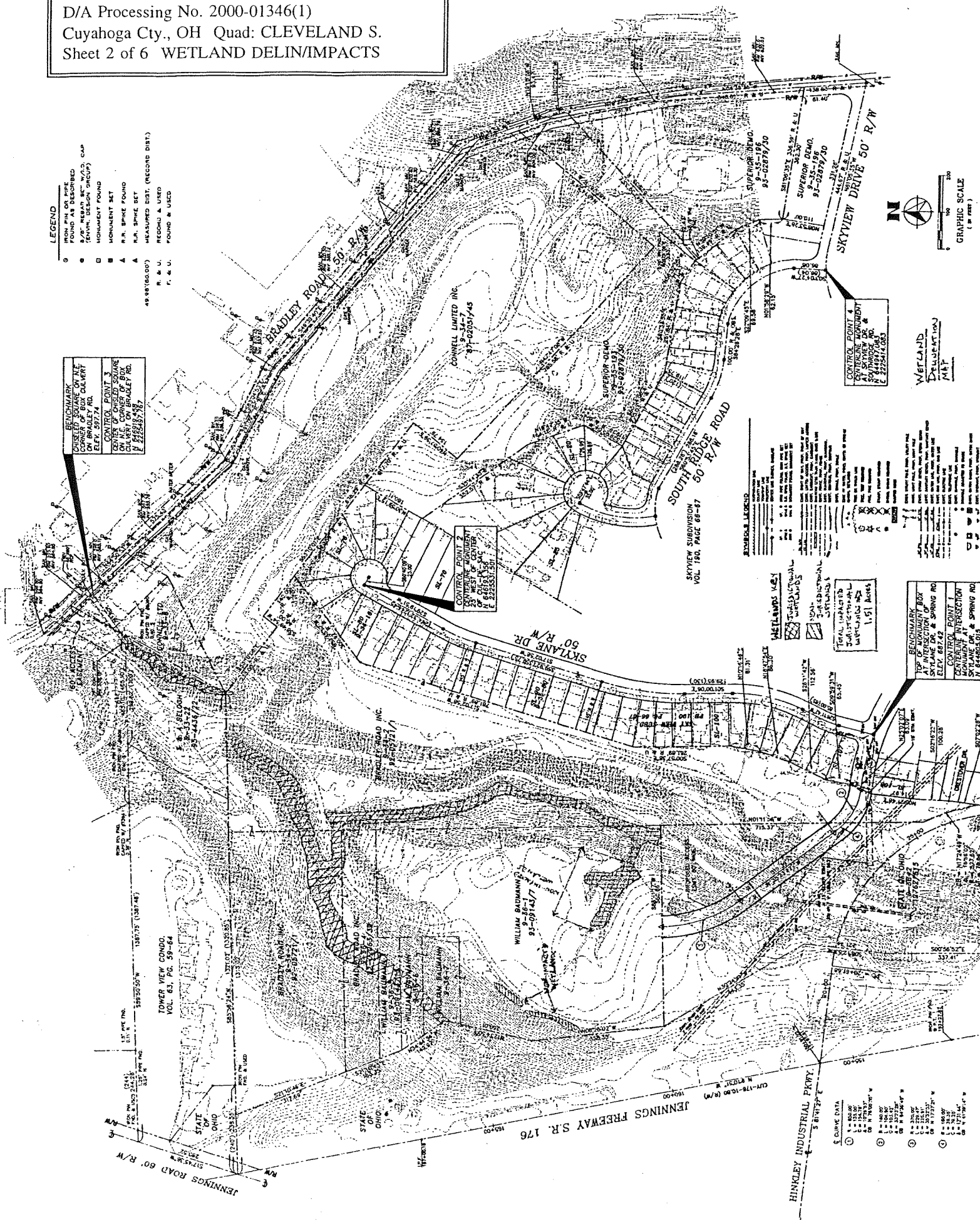
people.

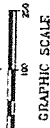
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

BRADLEY RD., INC.
SKY LANE CULVERT PROJECT
D/A Processing No. 2000-01346(1)
Cuyahoga Cty., OH Quad: CLEVELAND S.
Sheet 2 of 6 WETLAND DELIN/IMPACTS



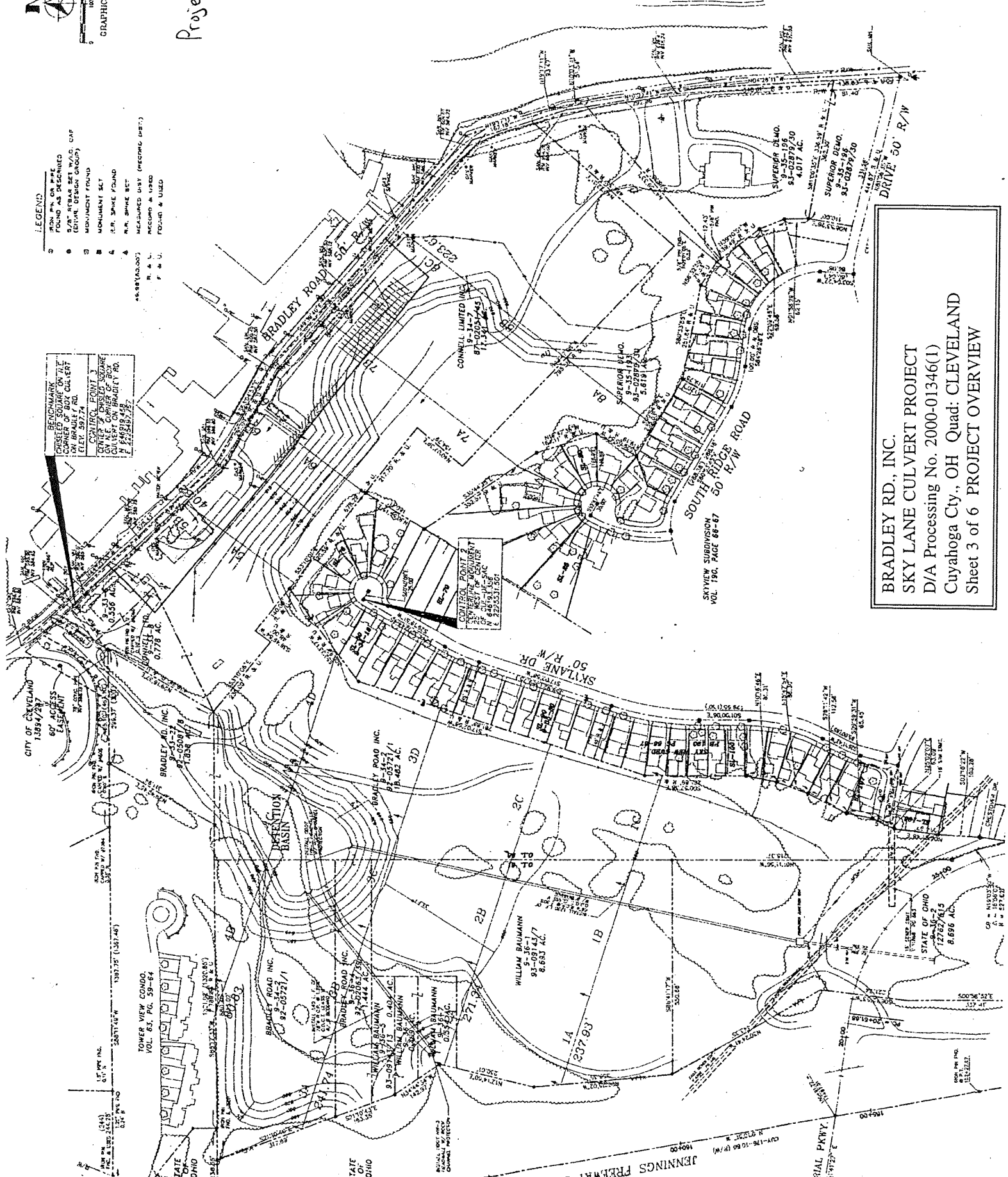


Project Plan View

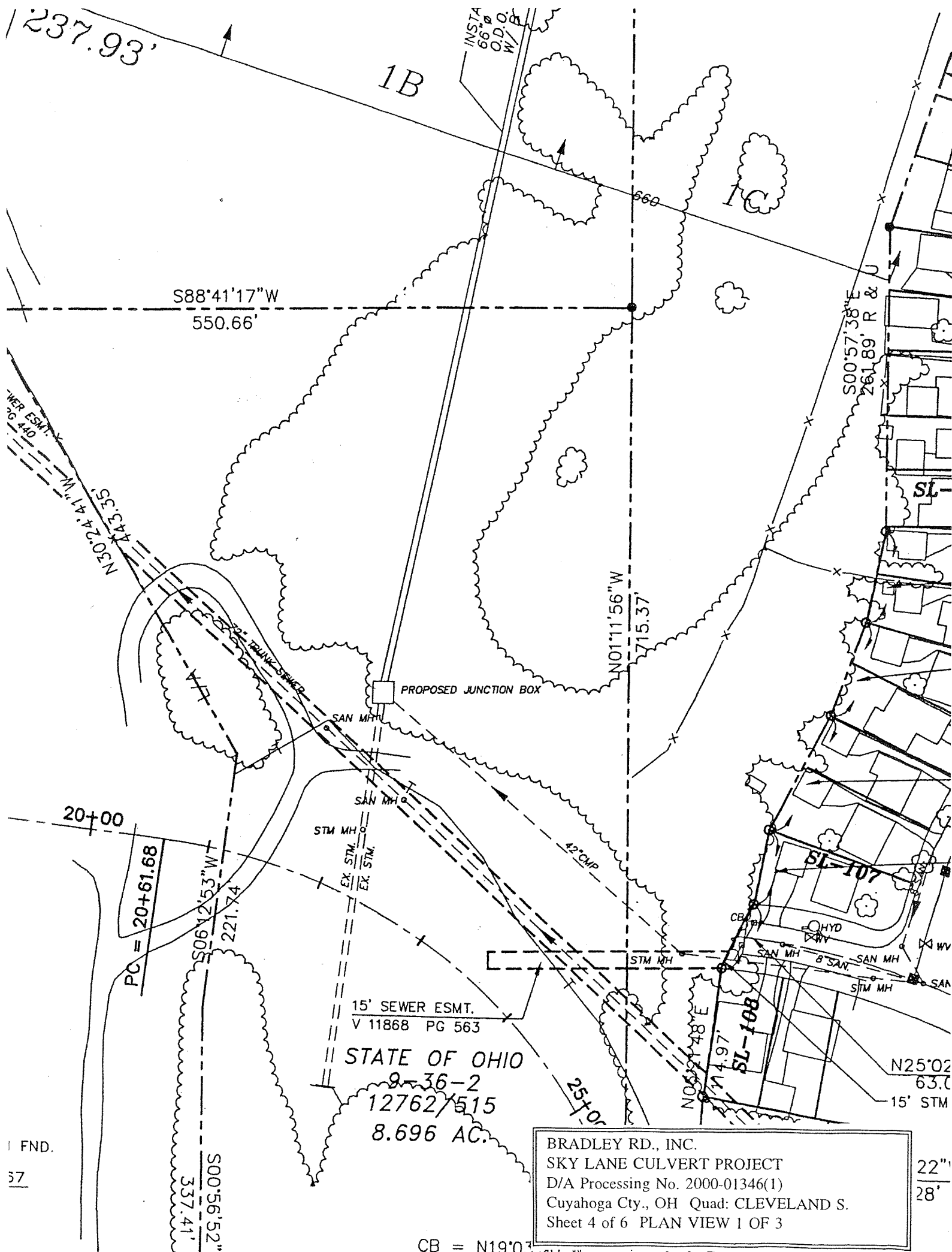
- LEGEND**
- IRON PIN OR PIPE FOUND AS DESCRIBED
 - CONCRETE FOUND (FOR USE OF CIVIL ENGINEER)
 - MONUMENT FOUND
 - MONUMENT SET
 - IRON SPIKE FOUND
 - R.R. SPIKE SET
 - MEASURED DIST. (RECORD DIST.)
 - FOUND & USED

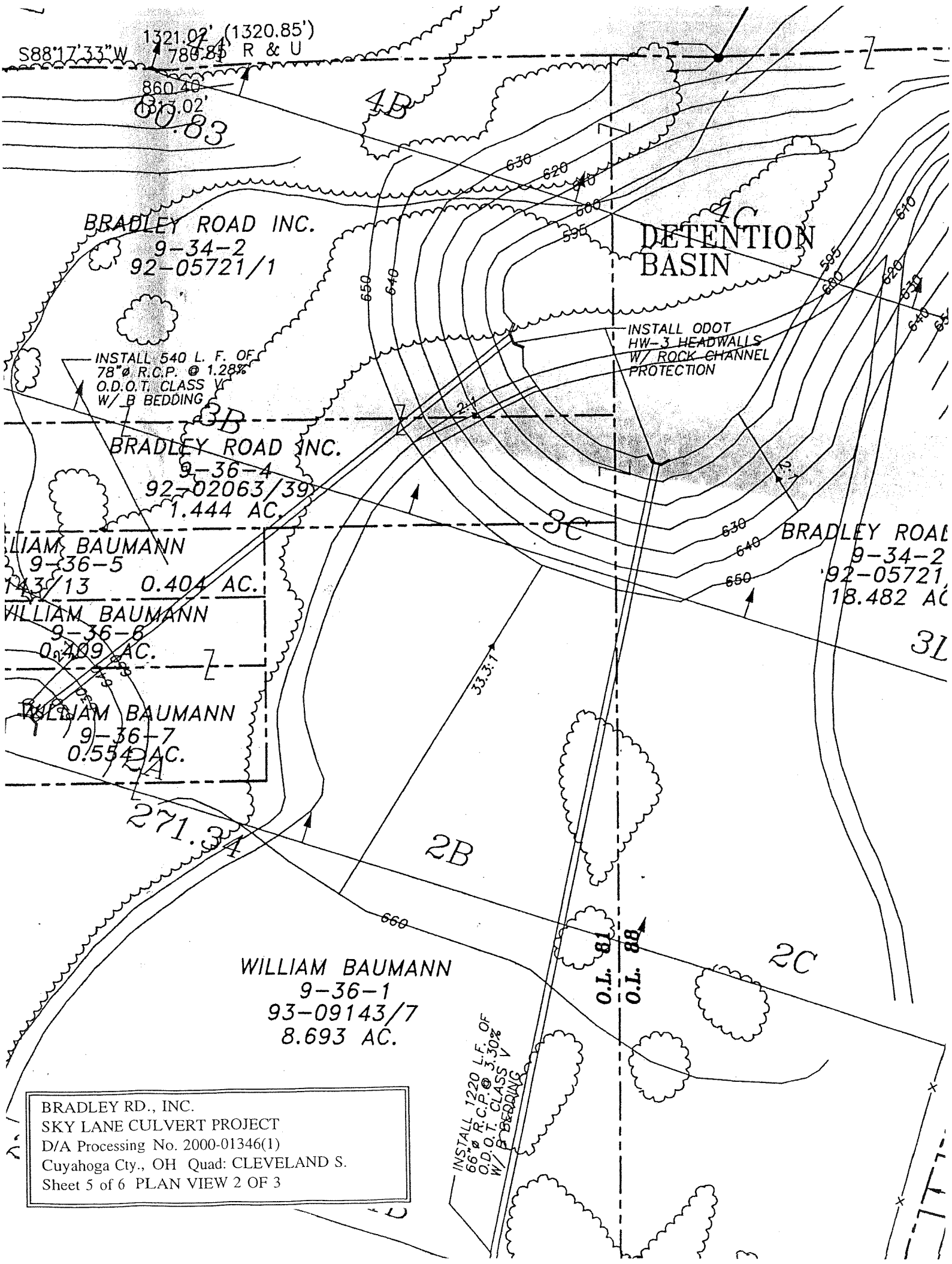
BENCHMARK
ON 7'x7' CONCRETE CURB
ON BRADLEY RD.
ELEV. 597.74

CONTROL POINT 3
ON 1'x1' CONCRETE SQUARE
CURB ON BRADLEY RD.
ELEV. 598.48



BRADLEY RD., INC.
SKY LANE CULVERT PROJECT
D/A Processing No. 2000-01346(1)
Cuyahoga Cty., OH Quad: CLEVELAND
Sheet 3 of 6 PROJECT OVERVIEW





S88°17'33"W 1321.02' (1320.85')
780.85' R & U

BRADLEY ROAD INC.
9-34-2
92-05721/1

INSTALL 540 L. F. OF
78" R.C.P. @ 1.28%
O.D.O.T. CLASS V
W/ B BEDDING

BRADLEY ROAD INC.
9-36-4
92-02063/39
1.444 AC.

WILLIAM BAUMANN
9-36-5
92-0143/13 0.404 AC.

WILLIAM BAUMANN
9-36-6
0.409 AC.

WILLIAM BAUMANN
9-36-7
0.554 AC.

DETENTION
BASIN

INSTALL ODOT
HW-3 HEADWALLS
W/ ROCK CHANNEL
PROTECTION

BRADLEY ROAD
9-34-2
92-05721
18.482 AC

WILLIAM BAUMANN
9-36-1
93-09143/7
8.693 AC.

BRADLEY RD., INC.
SKY LANE CULVERT PROJECT
D/A Processing No. 2000-01346(1)
Cuyahoga Cty., OH Quad: CLEVELAND S.
Sheet 5 of 6 PLAN VIEW 2 OF 3

INSTALL 1220 L.F. OF
66" R.C.P. @ 3.30%
O.D.O.T. CLASS V
W/ B BEDDING

BRADLEY RD., INC.
SKY LANE CULVERT PROJECT
D/A Processing No. 2000-01346(1)
Cuyahoga Cty., OH Quad: CLEVELAND S.
Sheet 6 of 6 PLAN VIEW 3 OF 3

